



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Patent Application of

Atty Dkt. 978-73
C#/M#

McGILL

Confirmation No.: 7994

Serial No. 10/727,559

Group Art Unit: 1723

Filed: December 5, 2003

Examiner: D. Sorkin

Title: FOOD BLENDING APPARATUS

Date: April 10, 2006

Commissioner for Patents

P.O. Box 1450

Alexandria, VA 22313-1450

Sir:

INFORMATION DISCLOSURE STATEMENT

Pursuant to 37 C.F.R. 1.56, the attention of the Patent and Trademark Office is hereby directed to the reference(s) listed on the attached PTO-1449. One copy of the reference(s) is attached. It is respectfully requested that the information be expressly considered during the prosecution of this application, and that the reference(s) be made of record therein and appear among the "References Cited" on any patent to issue therefrom.

- ☐ This Information Disclosure Statement ("IDS") is being filed within three (3) months of the U.S. filing date OR before the mailing date of a first Office Action on the merits. No certification or fee is required.
- ☐ This IDS is being filed more than three (3) months after the U.S. filing date AND after the mailing date of the first Office Action on the merits, but before the mailing date of a Final Rejection or Notice of Allowance.
- ☐ a. I hereby certify that each item of information contained in this IDS was first cited in a communication from a foreign patent office in a counterpart foreign application not more than three (3) months prior to the filing of this IDS. 37 C.F.R. 1.97(e)(1).
- ☐ a.1. I hereby certify that this communication was not received by any individual designated in Section 1.56(c) more than 30 days prior to the filing of the Information Disclosure Statement. 37 C.F.R. §1.704(d).
- ☐ b. I hereby certify that no item of information in this IDS was cited in a communication from a foreign patent office in a counterpart foreign application or, to my knowledge after making reasonable inquiry, was known to any individual designated in 37 CFR§1.56(c) more than three (3) months prior to the filing of this IDS. 37 C.F.R. 1.97(e)(2).
- ☐ c. Attached is a check in the amount of \$180.00 in payment of the fee under 37 C.F.R. 1.17(p). Please credit or debit Deposit Acct No. 14-1140 as needed to ensure consideration of the disclosed information. A duplicate copy of this paper is attached.
- ☒ This IDS is being filed more than three months after the U.S. filing date and after the mailing date of a Final Rejection or Notice of Allowance, but before payment of the Issue Fee. Attached is our check in the amount of \$180.00 in payment of the fee under 37 C.F.R. 1.17(p). Please credit or debit Deposit Account No. 14-1140 as needed to ensure consideration of the disclosed information. A duplicate copy of this paper is attached.
- ☒ a. I hereby certify that each item of information contained in this IDS was first cited in a communication from a foreign patent office in a counterpart foreign application not more than three (3) months prior to the filing of this IDS. 37 C.F.R. 1.97(e)(1).
- ☐ a.1. I hereby certify that this communication was not received by any individual designated in Section 1.56(c) more than 30 days prior to the filing of the Information Disclosure Statement. 37 C.F.R. §1.704(d).
- ☐ b. I hereby certify that no item of information in this IDS was cited in a communication from a foreign patent office in a counterpart foreign application or, to my knowledge after making reasonable inquiry, was known to any individual designated in 37 CFR§1.56(c) more than three (3) months prior to the filing of this IDS. 37 C.F.R. 1.97(e)(2).
- ☐ Relevance of the non-English language reference(s) is discussed in the present specification.
- ☒ The reference(s) was/were cited in a counterpart foreign application.
- ☒ A concise explanation of the relevance of the non-English language reference(s) appears in the Appendix hereto.
- ☐ The Examiner's attention is directed to co-pending U.S. Patent Application No. _____, filed _____, which is directed to related technical subject matter. The identification of this U.S. Patent Application is not to be construed as a waiver of secrecy as to that application now or upon issuance of the present application as a patent. The Examiner is respectfully requested to consider the cited application and the art cited therein during examination.
- ☐ Copies of the references were cited by or submitted to the Office in parent Application No. _____ (filed _____), which is relied upon for an earlier filing date under 35 U.S.C. 120. Thus, Form PTO1449 is attached without copies of these references. 37 C.F.R. 1.98(d).
- ☐ Other.
- 901 North Glebe Road, 11th Floor
Arlington, Virginia 22203-1808
Telephone: (703) 816-4000
Facsimile: (703) 816-4100
AMK:jls
- NIXON & VANDERHUYE P.C.
By Atty: Alan M. Kagen, Reg. No. 36,178
Signature: Alan M. Kagen

04/11/2006 SZEWDIE1 1062007 00000006 10727559

01 FC:1806

180.00 OP



APPENDIX

CONCISE EXPLANATION OF THE RELEVANCE OF THE NON-ENGLISH LANGUAGE REFERENCE(S)

Korean Utility Model 1996-0007233 shows a cup having a thread about its open end. A die cast actuating body carrying a rotatable blade is arranged to be threadingly engaged on the cup to seal product within the cup. The actuating body also has drive means configured to be engaged on the drive shaft of a base unit when the cup/body is inverted. The body includes a projection for triggering a switch on the base unit, to cause rotation of the blade.

In use, the actuating body is united with the cup, inverted and then placed on the base unit in engagement with the drive shaft. As illustrated, the cup is intended to be held manually in driving engagement with the drive means. Rotation of the blade only occurs when the user “pushes down” on the cup, whereby the projection triggers the switch to cause rotation of the blade. If downwards pressure is released, the switch is released and rotation is interrupted.